GOVERNMENT OF MADRAS.

Old Secti. II 28, New Secti. II-16-71,006—28-1-55

Public (RDP VI) (1955) Department.

Endorsement
D.O.
Memorandum
~~Lodged~~

No. 4296 RDP VI /55-5,

Dated 13 — 10 — 1955.

Back ~~FURTHER PAPERS.~~

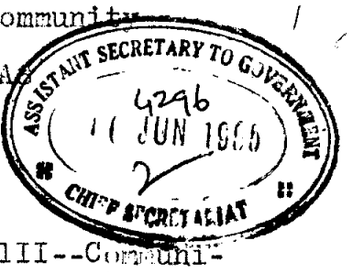
Department.	Number.	Series.	Date.
Public (RDP VI)	4403/54-1/RDP VI.	Memo	18/9/1955
Public (RDP)	1781	G.O. Ms.	25/9/1954

REF.C.NO. 2203/53-B.

Project Executive Office,S.K ,
Mangalore, dated 11- 6- 1955.

Fr :
Sri. H. Narasimha,
Project Executive Officer,
South Kanara, MANGALORE.

To
The Director of Community
Development, MADRAS.



Sir,

COMMUNITY PROJECT--South Kanara--Block III--Communications--construction of a Vented causeway--across the Thirthattu river on the Ajekar--Dondarangadi road--Execution Loss of cement and other materials--by the Contractor--Cost of cement--Write off--Proposals--submitted.

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Ref: G.O.Ms.No. 1784 Pub. R.D.P. d/25-9-1954.
Govt. Memo No. 4403 R.D.P.VI/54-1 d/18-1-1955.

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In the G.O. cited, sanction was accorded for constructing a Vented causeway across the Thirthattu River on the Ajekar-Dondarangadi Road at an estimated cost of Rs.21,000/-. There was no response to the call for tenders from contractors for executing this work. The Government in their memo No. 4403 R.D.P.VI/54-1, dated 18-1-1955, therefore, issued orders to entrust the work to Dr. U. Krishna of Muniyal Village a person nominated by the Panchayat Board. The work has been in progress. So far a sum of Rs. 9841/- has also been paid from community Project funds against Rs. 10,933-15-0, the total value of the work done.

2. On 23--5--1955,a petition was received in this office, from the contractor stating that, on account of the heavy unforeseen rains on 19--5--1955, certain materials stocked by him were washed away and that he has been put to a loss of about Rs. 883/- and that he may be granted compensation for the loss sustained by him. The details of loss according to the contractor are as follows:

1.	45 bags of cement costing	Rs. 253/-
2.	5 Units of 3/4" Jelly costing	Rs. 250/-
3.	8 Units of sand costing	Rs. 120/-
4.	Cost of planks and supports:	Rs. 150/-
5.	centring charges:	Rs.110/-
	Total.	Rs. 883/-

The Asst. Engineer (C.P.) Karkal states that when he inspected the site on 19--5--19 at 4 P.M. he found about 3 to 4' of water overflowing the submersible bridge and that the stock of cement and other materials left near the workspot which were completely submerged have become useless. He adds that there is no rule to award compensation for the loss. The agreement also does not stipulate any such compensation. The Asst. Engineer, however recommends that the cost of cement involved may be written off.

The cement was supplied to the contractor from the Community Project stock. The cost of 45 bags of cement comes to Rs. 221-10-0 and not Rs. 253/-. The rate furnished by the contractor presumably includes transport charges. As the loss involved is due to unforeseen circumstances and as the total loss comes to Rs. 883/-

P.T.O.

I recommend that the cost of the cement supplied to the Contractor which comes to Rs. 281-10-0 may be ordered to be written off.

Yours Faithfully,

Project Executive Office

JC/13- - 5.

12/6

Pub (RDP VI) Dept.

Memo. No. 4296 RDP VI/55-2

dated 20-7-1955.

Sub:- C.Rs - South Kanara Project - Block III - Communications - Construction of a Causeway across the river Thirthalli ~~river~~ via the Ajekar - Dondarangadi rd. Loss of Cement and other materials by the Contractor - Cost of cement - writing off Govt. accounts - Remarks - Called for -

Ref:- From the P.E.O., South Kanara, Mangalore, Ref. C.No. 2203/53-B, Dt. 11-6-1955.

A copy of the letter cited is communicated to the C.E. (Pl). He is requested to ~~offer his remarks on~~ state whether the loss of Cement bags reported ~~in~~ therein may be treated as Govt. property even after issue to the Contractor and the resultant loss due to damage by flood may be written off the Govt. accounts.

CENTRAL DESPATCH BRANCH
Van.
Post.
Regd. Post.
Messenger.
Despatched. 22/7/55

To The C.E. (Pl), Madras 2
CW.E2 (with Off. Ref.)
R. 24/8/55
E.R. 2 [illegible] Despatched. 19/7/55
WA-IA/9/55 dt. 9-7-55 DB 26.8.55

C.F. 32 ( )—70,10,558—20-1-54.

PUBLIC WORKS Department

From (Name) Sri J.M. Frederick, B.A.,B.E.,I.S.E.,
Designation Chief Engineer, P.W.D. (General),
Station Chepauk, Madras.5.
P.B.No.410.

Received ____ Registered ____

To

The Secretary to Government,
Public (RDP) Department,
Fort St.George.

Enclosures:

No. 33627 AC1/55-CR, dated 5th September 1955.

Sir,

Sub: Community Projects - South Kanara Block III - Construction of a causeway across the river Thirthattu river - loss of cement -re:

Ref: Government Memo No.4296 RDP.VI.55-2 dt.20-7-55.

It will be observed from the copy of letter of the Project Executive Officer received with the Government Memo that the cement was supplied to the contractor from the Community Project Stock. If necessary receipt acknowledging the supply by the Contractor had been obtained, the material becomes the property of the contractor. According to Cl.26 of the Preliminary Specification of the M.D.S.S. the contractor is responsible for all materials supplied by Government from the time he takes delivery and he is bound to make good any loss or damage sustained from whatever source or cause such loss or damage might occur. Clause 40 of the Preliminary Specification clearly specifies that the contractor shall at his own expense arrange all requisite protection of the work and materials against sun and rain effects. Hence the loss of cement will have to be borne by the contractor as he should not have stacked the cement bags in the river bed. The question of write off does not arise as the material has ceased to be Government property when it has been accounted as issued to the contractor under proper receipt.

B. S. Narayanan 7.9.55

for Chief Engineer, P.W.D.(General).

VB/6-9.

ASSISTANT SECRETARY TO GOVERNMENT 9-SEP1955 RURAL DEVELOPMENT PROJECTS, PUBLIC DEPT.

013145 R 10-9-55

DRAFT.

PUBLIC (R.D.P. VI) DEPARTMENT.

Memo. No. 4296 RDP.VI/55-5 d. 13-10 195

Sub: C.Ps. - S.Kanara Project - Block III - Communications - Construction of a causeway across the river Thirthattu on the Ajekar - Dondarangadi Rd. - Loss of cement and other materials by the contractor - Cost of cement - Writing off ~~Govt. account~~ - ~~Remarks solicited for. Regarding~~ - Orders.

Ref: From the P.E.O., S.Kanara, Mangalore, Ref.C.No.2203/53-B, dated 11-6-1955.

...

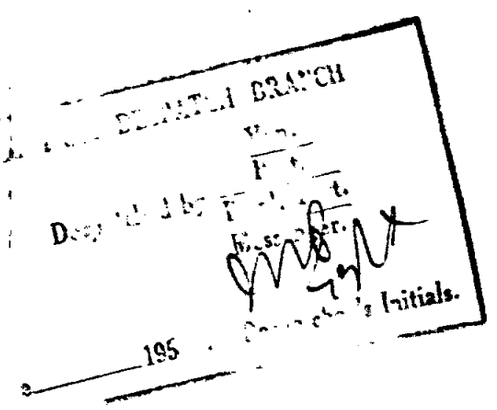
It is observed from the letter cited that the cement was supplied to the contractor from the Community Projec Stock. If ~~necessary~~ a receipt acknowledging the supply by the Contractor had bee obtained, the material becomes the property of the contractor. According to Cl.26 of the Preliminary Specification of the ~~M.D.S.~~ S., the contractor is responsible for all materials supplied by Government from the time he takes delivery and he is bound to make good any loss or damage sustained from whatever source ~~of~~ or cause, such loss or damage might occur. Clause 40 of the Preliminar Specification clearly specifies that the contractor shall, at his own expense, arrange all requisite protection of the work and materials against sun and rain effects. Hence the loss of cement will have to be borne by the contractor, as he should not have stocked the cement bags in the river bed. The question of write off does not arise, as the material has ceased to be Government property when it

~~has been~~ accounted as issued to the contractor under proper receipt.

To

The Project Executive Officer,
Mangalore.

S. F. [illegible] (Gen)



V.F. Public (RDP VI) Deptt.

No. 4296 RDP VI/55. Sub:- Community Projects - South Kanara - Block III - Communications - Construction of a vented causeway across the Thirthathu river on the Ajekar - Dondarangadi road - Execution - Loss of cement and other materials - by the contractor - Cost of cement - Write off - Proposals -

pp. 1-2 ct. Ref:- From the P.E.O., South Kanara C.P. Area, C. No. 2203, 53-B, Dt. 11-6-1955.

Please see the letter in the ct. It is stated therein that the cost of 45 bags of cement supplied to the contractor from the C.P. stock, which amounts to Rs. 221-10-0 may be written off the Project accounts. The reasons advanced in this connection are that the cement bags kept at the work spot were damaged due to heavy unforeseen rains and that the A.E. (C.P.) has recommended this after personal inspection of the spot. Submitted that in exercise of the powers delegated in G.O. Ms. 2449, Pub (CP.I), Dated 15/10/1952, (enjoying the powers of CE in respect of project works) the D.C.D., as a Head of Deptt. can write off the irrecoverable value of stores lost through fraud, negligence or other causes upto a limit of Rs. 500/=. However, as the cement bags in the present case, have not been in the custody of the Project personnel at the time of loss, it is doubtful whether such losses can be written off the accounts of Govt. Further, once the bags have been issued to the contractor, & credit (to the extent of its value) is given in the accounts

kept at the Project level. ~~upto the~~ ~~goods~~ Howrah, P.W. and HELA. may be asked to state whether such benefits are given to the contractors under them.

28/6/55

~~DS(RSP)~~

PWD
HELA

Pub. no 4296 RDPU/55
PW (B2) dt 29/6/55

Notes of Public (R.D.P.) on pre page with particular reference to 'B' on plants may be perused. Once the cement bags are handed over to the contractor, it is the sole responsibility of the contractor to safeguard it under all conditions and there does not also seem to be any such ~~case~~ clause. Anyway Public (R.D.P.) may be requested to consult the C.E (Elec) in connection and let this dept see the case again on receipt of his reply. With the remarks the file may be passed on to H.E.L.A Dept.

2.7.55 2.7.55 6/7/55 A/S II / H E L A 6.7.55

PW Loo. 574 B24 B/55-1
Rec'd 6.7.55
7 - JUL 1955
66489

B
4296/55

H.E.L.A (Vi)

The notes of Pub (ROP) and P.W.D. ~~may be perused.~~ on pp 1-2 above. This department may agree with the views of P.W.D at noon p 2 ante. With these remarks the file may be returned to Pub (ROP)

14.7.55

15/7/55

Pub (R.D.P.)

HELA 66869 Vol 55-1
16/7/55

11/7/55
KN
12/7/55

Pub (RDP VI)

NOTES of P.W. and HELA Depts. on pp 2-3 ante may be read.

2. A draft memo to the CE. (GL). is put up for approval.

19/7/55.

19/7/55

Issued as Memo No. 4296 Pub. (RDP VI)/55-28, 2019/55
From the CE. (H), No. 33621 Acl/55-CE
dated 5.9.1955.

Please see the letter from the CE(H) on pp. 5-6. A draft memo, on HElections status, is put up for approval.

P. W. Deptt. and Fin may see before issue.

12/9/55.

12/9/55

20.9.55

PWD

19.9.55

U.O. No 4296 Pub RDP VI/55-4
20.9.55

ASSISTANT SECRETARY TO GOVERNMENT
18 JUL 1955
PUBLIC DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT
20 SEP 1955
PUBLIC WORKS

Prof(B2)

(Previous Prof note on p.2 ante)

The letter from the CE (PW) on p.5 cf. and the draft memo. below may be perused and the case passed on to Fin. Secy.

19.9.55

21.9.55

5.9.55

Fin.(Accts)

1.W.W. 1918 X(B)55 — 21/9/55

The note from p.1 above ~~may be~~ perused.

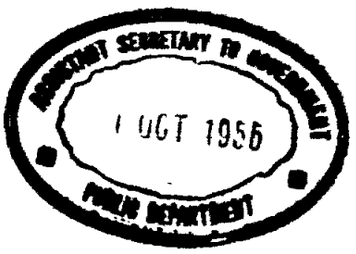
and the draft memo. below may be ~~accepted~~ perused.

8.X.55

5/10/55. PWM(RDP) VI

The draft below may issue

Fin U.O 77397 Accts/57 9.10.55



Issued as Memo No. 4296 RDP VI/55-5, 25745

Date 13.10.1955

This may be acknowledged. G.O. Ms. No. 2844 Law (Gen) dated 25.9.1954. (B)

19.9.55